

## Message Text

SECRET

PAGE 01 STATE 296713  
ORIGIN NODS-00

INFO OCT-01 ISO-00 /001 R

66011

DRAFTED BY:S/S-O:LFLEISCHER

APPROVED BY:S/S-O:LFLEISCHER

-----027103 131215Z /12

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FM SECSTATE WASHDC

TO WHITE HOUSE IMMEDIATE

S E C R E T STATE 296713

NODIS

EXDIS DISTRIBUTE AS NODIS, FOR BRZEZINSKI ONLY

FOLLOWING REPEAT SEOUL 10471 ACTION SECSTATE DEC 13.

QUOTE: S E C R E T SEOUL 10471

EXDIS DISTRIBUTE AS NODIS

E.O. 11652: GDS

TAGS: PGOV KS US

SUBJ: TONGSUN PARK AFFAIR: NEGOTIATION OF JOINT STATEMENT

REF: STATE 296610

SUMMARY: SINCE FONMIN UNAVAILABLE POLCOUNS CLARK AND MOFA  
PAK SANG YONG HELD INITIAL DISCUSSION ON REVISED TEXT.  
PAK'S REACTION IS THAT US INFLEXIBLE DESPITE CONTINUED  
ROK FLEXIBILITY. MOFA WILL BE BACK TO US FOLLOWING STUDY  
REVISED TEXT. END SUMMARY.

1. AFTER ASCERTAINING THAT FONMIN FULLY OCCUPIED AFTERNOON  
DECEMBER 13, RESPONDING TO NATIONAL ASSEMBLY QUESTIONING ON  
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LAW OF SEA IMPLICATIONS OF PROPOSED ROK TWELVE-MILE LIMIT,  
POLCOUNS CLARK MET WITH MOFA AFFAIRS BUREAU  
DIRECTOR PAK SANG YONG TO HOLD INITIAL REVIEW OF REVISED  
TEXT PROVIDED REFTTEL. POLCOUNS MADE FULL USE OF ALL AREAS  
OF US AGREEMENT TO PROPOSED ROK CHANGES IN TEXT LANGUAGE  
IN PRESENTING THIS DRAFT IN MOST FAVORABLE MANNER  
POSSIBLE. HE EMPHASIZED THAT CHANGES MADE BY US

WERE FOR CLARITY OR CONSISTENCY AND NOT CHANGES IN SUBSTANCE. PAK'S INITIAL REACTION WAS THAT WE HAD AGREED TO ALL THE LESS IMPORTANT POINTS AND FAILED TO PROVIDE ANY FLEXIBILITY ON TWO MAJOR POINTS OF ISSUE, PARAS.

4. F. AND 5. B.

2. PAK STATED THAT AGAINST ITS OWN WISHES ROKG HAD ACCEDED TO US REQUEST TO SEVERELY LIMIT WORDING REGARDING POSSIBILITY OF PARK BEING FORCED TO APPEAR BEFORE CONGRESSIONAL COMMITTEES. THIS POSITION HAS BEEN MAINTAINED DESPITE JAWORSKI STATEMENT WHICH HAD CLEARLY THROWN SPOTLIGHT ON THE CONGRESSIONAL QUESTION. US WAS NOW FURTHER WEAKENING UNDERTAKINGS REGARDING CONGRESS BY PLACING REFERENCE TO OBLIGATION OF PARK TO APPEAR BEFORE COMMITTEES IN MPAA. ROK MIGHT EVEN BE ABLE TO ACCEDE TO THIS CHANGE BUT SAW NO CORRESPONDING UNDERSTANDING OF ROK POSITION ON WASHINGTON SIDE.

3. PAK NOTED FURTHER THAT ROK HAD ALSO BEEN VERY FLEXIBLE REGARDING SCOPE OF TESTIMONY AND IN ALLOWING WORDING REGARDING SAME TO BE CONSIDERABLY DILUTED. IN THIS, AS WELL AS WITH CONGRESSIONAL PROBLEMS, ROK WAS RELYING ON GOOD FAITH ASSURANCE OF USG. UNFORTUNATELY, USG APPARENTLY WAS UNWILLING TO RELY ON GOOD FAITH ASSURANCES OF ROKG.

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4. PAK STATED THAT IN HIS VIEW LANGUAGE PRESENTED BY ROK RE PARAGRAPH 4. F. AT YESTERDAY'S MEETING BETWEEN FONMIN AND AMBASSADOR WAS SUFFICIENTLY VAGUE TO ALLOW US ACCEPTANCE. RESPONSE, HOWEVER, DID NOT PROVIDE ANY ASSISTANCE TO THE ROKG ON THIS ISSUE. RESPONSE ALSO CONTINUED TO MAINTAIN PEJORATIVE LANGUAGE IN PARAGRAPH 5. B.

5. POLCOUNS AGAIN EXPLAINED SEPARATION OF POWER WITHIN USG AND INABILITY OF EXECUTIVE BRANCH TO COMMIT OTHER BRANCHES. PAK SAID HE UNDERSTOOD SEPARATION OF POWER BUT BELIEVED IN EARLIER INSTANCES EXECUTIVE AGREEMENT HAD INDEED BEEN BINDING ON LEGISLATIVE AND JUDICIAL BRANCHES. ROK HOWEVER, WAS NOT ASKING FOR A BINDING AGREEMENT IN THIS INSTANCE, BUT ONLY FOR A MINIMUM LEVEL OF FLEXIBILITY TO ALLOW IT TO MEET ITS OWN INTERNAL DIFFICULTIES. SINCE THE ROK HAD GIVEN FULL WEIGHT TO US REPRESENTATION ON INTERNAL DIFFICULTY HE WONDERED WHY USG WAS UNABLE TO TAKE SIMILAR VIEW OF ROK PROBLEM. POLCOUNS WENT THROUGH THE ARGUMENT ONE MORE TIME AND REQUESTED THAT REVISED DRAFT BE PRESENTED TO THE

FOREIGN MINISTER FOR REVIEW. PAK AGREED TO DO THIS  
BUT STATED THAT IN HIS VIEW WE WERE LOSING GROUND.

6. PAK CALLED POLCOUNS LATER THAT AFTERNOON TO STATE  
THAT FONMIN'S INITIAL VIEW WAS SIMILAR TO HIS OWN,  
BUT THAT MOFA WOULD REQUIRE ADDITIONAL TIME FOR  
DETAILED STUDY BEFORE MAKING FORMAL RESPONSE. SNEIDER  
UNQUOTE CHRISTOPHER

SECRET

NNN

## Message Attributes

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**Review Markings:**  
Margaret P. Grafeld  
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